

F I L E D
Clerk
District Court

MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS JUN 19 2006

CV-05-0026

For The Northern Mariana Islands
June 19, 2006
9:20 a.m. (Deputy Clerk)

TOSHIHIRO TAKAHASHI -vs- MAEDA PACIFIC CORPORATION

PRESENT: Hon. Alex R. Munson, Chief Judge Presiding
Sanae Shmull, Court Reporter
K. Lynn Lemieux, Court Deputy
Victorino Torres, Attorney for Plaintiff
James Livingstone, Attorney for Plaintiff
John Osborn, Attorney for Defendants
Steve Carrara, Attorney for Defendants
Toshihiro Takahashi, Plaintiff

PROCEEDINGS: JURY TRIAL - Day Six

Plaintiff was present and represented by Attorneys James Livingstone and Victorino Torres. Defense was represented by Attorneys John Osborn and Steve Carrara. Eight jurors were present.

Out of the presence of the jury, Court inquired about whether there were any objections to the jury instructions. Defense replied that they did have objections and explained those objections in detail. Court ruled.

Jurors were brought into the Courtroom at 9:30 a.m.

Attorney Torres began opening argument at 8:32 a.m. and finished at 10:35 a.m.

Jurors were excused for morning break at 10:35 a.m.

Court recessed at 10:35 a.m. and reconvened at 10:50 a.m.

Attorney Osborn began closing argument at 10:50 a.m. and finished at 12:20 p.m.

Court excused the jurors for a recess at 12:20 p.m. and reconvened at 12:30 p.m.

Attorney Torres began his closing argument at 12:30 p.m. and finished at 1:20 p.m.

Court excused the jurors for lunch at 1:20 p.m. and ordered them to return at 3:00 p.m. to continue.

Out of the presence of the jury, parties stipulated to withdraw Defendant's Ex. U-8 (photo of check to Milne). Court so ordered.

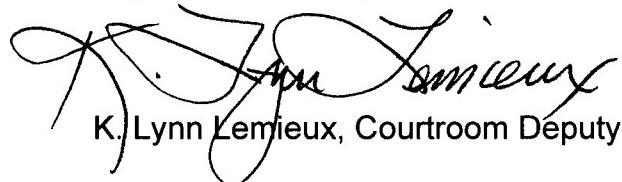
Court recessed for lunch at 1:25 p.m. and reconvened at 3:10 p.m.

Court read the "jury instructions" to the jury and called attention to the verdict form.

At 3:40 p.m., the oath was given to the Bailiffs and the jury retired to the jury deliberation room with exhibits, jury instruction, and verdict form.

Court inquired of attorneys whether they wanted to be called on every jury note or whether they would leave it to the Court's discretion. Both parties stated that they would leave it to the Court's discretion.

Adjourned at 3:45 p.m.



K. Lynn Lemieux, Courtroom Deputy

AO 187

EXHIBIT AND WITNESS LIST

Toshihiro Takahashi -vs- Maeda Pacific Corporation					District Court: Northern Mariana Islands
Plaintiff's Attorneys: Victorino Torres, Esq. James Livingstone, Esq.			Defendant's Attorneys: John Osborn, Esq. Steve Carrara, Esq.		Docket Number: CV-05-0026
					Trial Date(s): June 12, 2006 to June 19, 2006
Presiding Judge Alex R. Munson			Court Reporter Sanae Shmull	Courtroom Deputy Lynn Lemieux	
PLT. NO.	DEF. NO.	DATE OFFERED	Marked	Admitted	DESCRIPTION OF EXHIBITS AND WITNESSES
W1		06/12/06			RODNEY JACOB
61-A		06/12/06	06/12/06	06/12/06	Deposition of Rodney Jacob
W2		06/12/06			ENRIQUE TABANDA
61		06/12/06	06/12/06	06/12/06	Picture of Eastward View of Coral Avenue in front of Remington's Club
61-B		06/12/06	06/12/06	06/12/06	Photo - showing witnesses drawing of barrier
	F	06/12/06	06/12/06	06/12/06	Photo
W3		06/12/06			LINUS MIZUTANI
41		06/12/06	06/12/06	06/12/06	Picture of northward view of sidewalk in front of Remington's Club
43		06/12/06	06/12/06	06/12/06	Picture of right leg of Plaintiff, March 18, 2005
	N	06/12/06	06/12/06	06/12/06	Remington's Parking Area
61-C		06/12/06	06/12/06	06/12/06	Photo
W4		06/12/06			DEXTER MACARANAS
W5		06/13/06			WEI DONG JI
60		06/13/06	06/13/06	06/13/06	Picture of two pipes, March 18, 2005
52		06/13/06	06/13/06	06/13/06	Picture of eastward view of sidewalk in front of Remington's
45		06/13/06	06/13/06	06/13/06	Picture of Plaintiff, March 18, 2005
42		06/13/06	06/13/06	06/13/06	Picture of right shoulder of Plaintiff, March 18, 2005
46		06/13/06	06/13/06	06/13/06	Picture of Plaintiff's right leg
47		06/13/06	06/13/06	06/13/06	Picture of Plaintiff's right hand
51		06/13/06	06/13/06	06/13/06	Picture of Plaintiff's right leg
53		06/13/06	06/13/06	06/13/06	Picture of southward view of sidewalk in front of Remington's
55		06/13/06	06/13/06	06/13/06	Picture of Plaintiff's right shoulder
59		06/13/06	06/13/06	06/13/06	Picture of two pipes, April 13, 2005
38		06/13/06	06/13/06	06/13/06	Picture of sidewalk in front of Remington's
44		06/13/06	06/13/06	06/13/06	Picture of right leg of Plaintiff and metal pipe, March 18, 2005
48		06/13/06	06/13/06	06/13/06	Picture of Plaintiff's hands, April 15, 2005
50		06/13/06	06/13/06	06/13/06	Picture of Plaintiff's hands, May 28, 2005
56		06/13/06	06/13/06	06/13/06	Picture of Plaintiff's right hand with bandage, May 28, 2005
W6		06/13/06			MURAYAMA NOBUHIRO
	P	06/13/06	06/13/06	06/13/06	Photo
W7		06/13/06			FERNANDO TOMBOC

*Include a notation as to the location of any exhibit not held with the case file or not available because of size.

PLT. NO.	DEF. NO.	DATE OFFERED	Marked	Admitted	DESCRIPTION OF EXHIBITS AND WITNESSES
11		06/13/06	06/13/06	06/13/06	Construction Contract
63-A		06/13/06	06/13/06	06/13/06	Photo taken on December 29, 2004
63		06/13/06	06/13/06	06/13/06	Photo
O		06/13/06	06/13/06	06/13/06	Photo in front of Remington's Club taken in February 2005
W8		06/13/06	[REDACTED]		THOMAS NIELSON
64		06/13/06	06/13/06	06/13/06	(Interrogatory #8 and Response only).
61-D		06/14/06	06/14/06	06/14/06	Photo with drawing by witness Nielson
63-B		06/14/06	06/14/06	06/14/06	Photo
63-C		06/14/06	06/14/06	06/14/06	Photo
63-D		06/14/06	06/14/06	06/14/06	Photo
66		06/14/06	06/14/06	06/14/06	Request for Production of Documents
W 9		06/14/06	[REDACTED]		TOSHIRO TAKAHASHI (Plaintiff)
9		06/14/06	06/14/06	06/14/06	Receipt for a medical machine purchased by Plaintiff
6		06/14/06	06/14/06	06/14/06	Receipt from Saipan Health Clinic
8		06/14/06	06/14/06	06/14/06	Report from Medical Associates of the Pacific - Dr. Ada
A		06/14/06	06/14/06	[REDACTED]	Receipt and reports from Pacific Medical Center (replaced by Ex. AA)
Q		06/15/06	06/15/06	06/15/06	Annual Report of Marianas Sunrise
Q-1		06/15/06	06/15/06	06/15/06	Annual Report of Marianas Sunrise
S-1		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-2		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-3		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-4		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-8		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-9		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-10		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-11		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-12		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-13		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-14		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-15		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-16		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-17		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-18		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-19		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-20		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-21		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-22		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
S-23		06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi

PLT. NO.	DEF. NO.	DATE OFFERED	Marked	Admitted	DESCRIPTION OF EXHIBITS AND WITNESSES
	S-24	06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
	S-25	06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
	S-26	06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
	S-27	06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
	S-28	06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
	S-29	06/15/06	06/15/06	06/15/06	Payroll Check written to Takahashi
	T	06/15/06	06/15/06	06/15/06	Photo
41-A		06/15/06	06/15/06	06/15/06	Photo of Takahashi's drawing of where the ladder was located on the pole.
	V-1	06/15/06	06/15/06	06/15/06	Takahashi's Zorries
	V-2	06/15/06	06/15/06	06/15/06	Takahashi's Zorries
	U-1	06/15/06	06/15/06	06/16/06	Check to Milne for Rent
	U-2	06/15/06	06/15/06	06/16/06	Check to Milne for Rent
	U-3	06/15/06	06/15/06	06/16/06	Check to Milne for Rent
	U-4	06/15/06	06/15/06	06/16/06	Check to Milne for Rent
	U-5	06/15/06	06/15/06	06/16/06	Check to Milne for Rent
	U-6	06/15/06	06/15/06	06/16/06	Check to Milne for Rent
	U-7	06/15/06	06/15/06	06/16/06	Check to Milne for Rent
	U-8	06/15/06	06/15/06	06/16/06	Check to Milne for Rent
	W	06/15/06	06/15/06	06/16/06	Interrogatory of Takahashi signed on November 17, 2005
	X	06/15/06	06/15/06	06/15/06	Photo
W10		06/15/06			DR. H. CHRISTINE BROWN
68		06/16/06	06/16/06	06/16/06	Summary of Dr.'s visits
67		06/16/06	06/16/06	06/16/06	Exchange Rate Listing
W 1		06/16/06			MURAYAMA NOBUHIRO
W 2		06/16/06			SHINJI YOKOTA
Y		06/16/06	06/16/06	06/16/06	Photo with markings by witness Yokota
P-1		06/16/06	06/16/06	06/16/06	Photo with markings indicating location of ladder; by witness Yokota
W 3		06/16/06			KEITH ADA
Z		06/16/06	06/16/06	06/16/06	Photo
W 4		06/16/06			ALEX CADAG
W 5		06/16/06			THOMAS NIELSON
W 6		06/16/06			DR. AL ALOU (Interrogatories read by Attorney Steve Carrara)
AA		06/16/06	06/16/06	06/16/06	Exhibits from written deposition of Dr. Al Alou

*Include a notation as to the location of any exhibit not held with the case file or not available because of size.